

REMARKS

Reconsideration and allowance are respectfully requested.

The pending claims are new claims 33-35 which are directed to the baffle disclosed the original specification and drawing, for example , in Figure 18 and fill percentage recited in the previous claims, i. e. at least 90% such that the particles are able to move.

The previously presented claims 1, 9-11 were rejected as obvious over the patents to Kobayayashi et al, Kim and Jeram

In response to these rejections, claims 33-35 have been presented above to more clearly distinguish the invention from these references. As noted in the last response, in the English translation of the patent to Kobayayashi et al , the use of elastic particles is disclosed and a fill amount to allow convection currents to form without constraint . Claims 33-35 now recite that the chamber is filled partially to at least 90% thereby allowing the particles to move relative to one another and that means are provided to substantially prevent movement in a convection-like flow pattern in the specific form of a baffle extending from the body into the chamber.

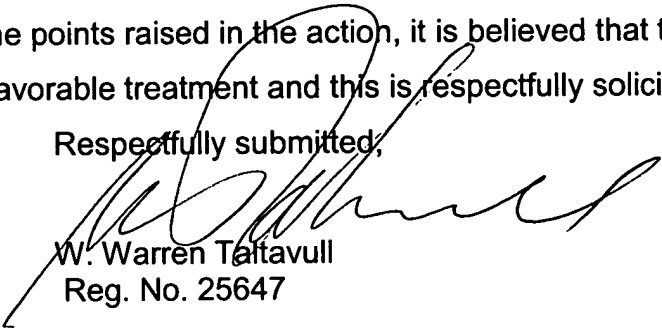
Turning to the patent to Jeram, there is described a shock dampening device where a piston is enclosed in a chamber filled with a particulate mass which is compressible. The volume of the chamber is adjustable. There is no discussion of convection like flow patterns nor the reduction of such flow patterns to any extent. Further, there is no discussion of dampening vibrations in another body to which the chamber 2 would be attached or connected. The adjustment of the volume of the chamber appears to be provided simply to compress the particulate so that the piston can be returned to its initial position after an impact.

The patent to Kim was discussed in detail in the previous response of August 29, 2003 and the same comments apply here.

The Examiner acknowledges that there is no disclosure in Kobayayashi et al of the material used for the asserted baffle in Kobayayashi et al. However there is no baffle disclosed in Kobayayashi et al so that there is no basis for a rejection of the new claims presented. All that Kobayayashi et al discloses is three chambers separated by partitions which clearly do not affect the flow pattern of the particles in any one of the three chambers.

The remaining references do not appear to be any more relevant than those discussed above. Having addressed all the points raised in the action, it is believed that the application is in condition for favorable treatment and this is respectfully solicited.

Respectfully submitted,



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